

REGULAR MEETING – MANSFIELD TOWN COUNCIL
August 25, 2014

Mayor Elizabeth Paterson called the regular meeting of the Mansfield Town Council to order at 7:30 p.m. in the Council Chamber of the Audrey P. Beck Building.

I. ROLL CALL

Present: Kegler, Kochenburger, Marcellino, Moran, Paterson, Raymond, Ryan, Shapiro, Wassmundt

II. APPROVAL OF MINUTES

Mr. Ryan moved and Ms. Moran seconded to approve the minutes of the July 14, 2014 meeting as presented. The motion passed with all in favor except Ms. Moran who abstained. Ms. Moran moved and Mr. Shapiro seconded to approve the minutes of the July 28, 2014 meeting as presented. The motion passed unanimously.

III. PUBLIC HEARING

1. Open Space Acquisition, Sawmill Brook Lane Parcel

Mr. Shapiro recused himself from acting or discussing Items 1 and 3. Mr. Shapiro has provided a letter explaining his recusal to the Board of Ethics, Mayor, Town Manager and Town Clerk.

The Town Clerk read the legal notice.

Jim Morrow, Chair of the Open Space Preservation Committee, and Natural Resources Coordinator Jennifer Kaufman presented additional information on the proposed acquisition. Mr. Morrow noted the Open Space Preservation Committee believes it is an important acquisition for the Town.

Ric Hossack, Middle Turnpike, believes the price is too high and asked the Council not to approve the purchase.

David Freudmann, Eastwood Road, believes the land is worthless and that if it is not acquired it will never be developed.

The public hearing was closed at 7:40 p.m.

Mr. Shapiro rejoined the Council.

IV. OPPORTUNITY FOR PUBLIC TO ADDRESS THE COUNCIL

Howard Raphaelson, Timber Drive, expressed concerns with the Four Corners Project including the absence of information detailing the reported failures and the identification of possible alternatives once the problem has been identified. (Statement attached)

Ric Hossack, Middle Turnpike, discussed shared financial services suggesting the Finance Department be divided into three separate entities and asked the Council to answer questions raised at the Four Corners public hearing. (Statement attached)

Brian Coleman, Centre Street, is not in favor of expanding the rental certification zone. He has reviewed the history of the expansion of regulations and believes it is not consistent with private property rights. (Statement attached)

Art Smith, Mulberry Road, applauded Democratic members of the Council who requested additional information on proposed amendments to the Parks Rules and Regulations prohibiting smoking in Town parks. The result of which was a clarified recommendation.

Mr. Smith stated that he has concerns with the shared services of the Finance Department and is pleased that a comprehensive study will be undertaken.

Tamra Coleman, Centre Street, completed Brian Coleman's statement regarding expansion of the rental certification zone.

David Freudmann, Eastwood Road, reviewed his efforts while a member of the Finance Committee to ascertain the cost of the Finance Department and to see if outside entities are being properly charged.

V. REPORT OF THE TOWN MANAGER

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In addition to his written comments the Town Manager Matt Hart reported that UConn police are now enforcing Town ordinances in their role as special constables for the Town of Mansfield.

VI. REPORTS AND COMMENTS OF COUNCIL MEMBERS

In response to a reference made by Mr. Freudmann concerning Mr. Shapiro's supposed actions regarding determining the price of the Sawmill Brook Land Parcel, Mr. Shapiro noted that when he recuses himself from a matter he does not participate in any aspect of the discussion.

Ms. Wassmundt asked members to review the remarks of Mr. Raphaelson presented during public comment regarding the lack of documented failures in the Four Corners area and the effect of additional development.

VII. OLD BUSINESS

2. Storrs Center Update

Town Manager Matt Hart reported a portion of Wilbur Cross Way will be closed for public safety reasons until March of 2015. Mr. Kochenburger requested a sign be added to let people know there is not access to Price Chopper from Dog Lane.

3. Open Space Acquisition, Sawmill Brook Lane Parcel

Mr. Shapiro again recused himself from discussion or action on this item.

Ms. Moran moved and Mr. Ryan seconded, effective August 25, 2014 to authorize the Town Manager to finalize and to execute the purchase of the 9.15-acre parcel, Parcel ID 33.97.13 in the Town Assessor's records and otherwise known as the Sawmill Brook Parcel, from Willard J. Stearns and Sons, Inc.

The motion passed with all in favor except Mr. Shapiro who did not participate.

Mr. Shapiro rejoined the Council.

4. Mansfield Housing Code, Expansion of Rental Certification Zone

Mr. Ryan moved and Ms. Raymond seconded, to schedule a public hearing for 7:30 PM at the Town Council's regular meeting on September 8, 2014, to solicit public comment regarding the proposed amendments to §130-35, Chapter 9, Rental Certification and Inspection, of the Mansfield Housing Code.

Director of Building and Housing Mike Nintean responded to questions concerning how inspectors conduct rental housing inspections and other avenues of recourse tenants have in the filing of complaints. The Town Manager reported that the Town Attorney has been asked to provide an opinion on the constitutionality of these types of inspections. The motion passed with all in favor except Ms. Wassmundt who voted no.

5. Proposed Amendments to Parks Rules and Regulations – Smoking Prohibition

Mr. Shapiro moved and Ms. Moran seconded, effective August 25, 2014, to accept the proposed amendment to the Parks Rules and Regulations, adding certain restrictions regarding the use of tobacco products to the list of Prohibited activities, which amendment shall be effective 21 days after publication in a newspaper having circulation within the Town of Mansfield.

Parks and Recreation Director Curt Vincente and Eastern Highland Health Director Rob Miller presented information on the current non-smoking rules for all active ball field areas and on the danger of second hand smoke. Mr. Vincente noted that there are no direct fines associated with this prohibition but rather the amendment is a way to encourage the community to be healthy.

The motion to approve passed unanimously.

VIII. NEW BUSINESS

6. Use of Town Attorney Policy

Ms. Moran, Chair of the Personnel Committee, moved to endorse the Use of Town Attorney Policy that will be executed by the Town Manager and take effect on September 1, 2014.

The motion passed unanimously.

7. Transfer of Foreclosed Property to Property Tax Suspense Book

Mr. Ryan, Chair of the Finance Committee, moved effective August 25, 2014, to transfer \$2,362.75 in uncollected property taxes to the Mansfield Property Tax Suspense Book, as recommended by the Collector of Revenue.

The motion passed unanimously.

8. WPCA, Fiscal Year 2013/14 UConn Water and Sewer Budget

Mr. Shapiro moved and Ms. Moran seconded to constitute as the Water Pollution Control Authority for the purpose of consideration of the Fiscal Year 2013/14 UConn Water and Sewer Budget.

Motion passed unanimously.

Mr. Ryan, Chair of the Finance Committee, moved effective August 25, 2014, to adopt the FY 2013/14 UConn Water and Sewer budget as prepared by town staff.

The motion passed unanimously.

Mr. Shapiro moved and Ms. Moran seconded to cease functioning as the Water Pollution Control Authority and resume as the Town Council.

Motion passed unanimously.

IX. REPORTS OF COUNCIL COMMITTEES

Mr. Ryan, Chair of the Finance Committee reported on the productive discussion regarding shared financial services during the Committee meeting prior to the Council meeting. The Town Manager will be designing a study proposal to be reviewed by the Committee.

X. DEPARTMENTAL AND COMMITTEE REPORTS

No comments offered

XI. PETITIONS, REQUESTS AND COMMUNICATIONS

9. Citizen Letters re: Swap Shop

10. T. Luciano (07/25/14)

11. G. Salorio (07/15/14)

12. Connecticut Light & Power re: wire stringing

13. Connecticut Natural Gas re: Public Awareness and Education Program

XII. FUTURE AGENDA

Mr. Kochenburger requested the Zoning Enforcement Officer be asked to report on the growth of single family homes being rented and how compliance with Town regulations are monitored in these units.

Ms. Moran moved and Mr. Shapiro seconded to move into executive session to discuss Personnel in accordance with Connecticut General Statutes§1-200(6) (a), Town Manager Performance Review.

Motion passed unanimously.

XIII. EXECUTIVE SESSION

Personnel in accordance with Connecticut General Statutes§1-200(6)(a), Town Manager Performance Review.

Present: Kegler, Kochenburger, Marcellino, Moran, Paterson, Raymond, Ryan, Shapiro, Wassmundt

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XIV. ADJOURNMENT

Mr. Shapiro moved and Mr. Ryan seconded to adjourn the meeting at 9:30 p.m..
The motion passed unanimously.

Elizabeth Paterson, Mayor

Mary Stanton, Town Clerk

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